

CIVIL DEFENSE

ACT JAN. 12, 1951, CH. 1228, 64 STAT. 1245

TITLE I—GENERAL PROVISIONS

Sec.

2251 to 2264. Repealed.

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TITLE I—GENERAL PROVISIONS

§§ 2251 to 2264. Repealed. Pub. L. 103-337, div. C, title XXXIV, § 3412(a), (b)(2), Oct. 5, 1994, 108 Stat. 3111

Section 2251, acts Jan. 12, 1951, ch. 1228, § 2, 64 Stat. 1246; Aug. 8, 1958, Pub. L. 85-606, § 2, 72 Stat. 532; July 14, 1976, Pub. L. 94-361, title VIII, § 804(a), 90 Stat. 931; Dec. 1, 1981, Pub. L. 97-86, title VIII, § 803(b), 95 Stat. 1112; Nov. 30, 1993, Pub. L. 103-160, div. C, title XXXIV, § 3402(a), 107 Stat. 1962, provided that the purpose of sections 2251 to 2303 of this Appendix was to provide a system of civil defense. See section 5195 of Title 42, The Public Health and Welfare.

Section 2252, acts Jan. 12, 1951, ch. 1228, § 3, 64 Stat. 1246; Dec. 1, 1981, Pub. L. 97-86, title VIII, § 803(c), 95 Stat. 1112; Nov. 30, 1993, Pub. L. 103-160, div. C, title XXXIV, § 3402(b), (f)(2), 107 Stat. 1963, 1964, defined terms used in sections 2251 to 2303 of this Appendix. See section 5195a of Title 42.

Section 2253, acts Jan. 12, 1951, ch. 1228, title IV, § 401, 64 Stat. 1254; June 28, 1955, ch. 189, § 12(c)(2), 69 Stat. 180; Aug. 8, 1958, Pub. L. 85-606, § 5, 72 Stat. 534; Aug. 19, 1964, Pub. L. 88-448, title IV, § 402(a)(30), 78 Stat. 494, related to powers and duties of Administrator in carrying out sections 2251 to 2303 of this Appendix. See section 5197 of Title 42.

Section 2254, act Jan. 12, 1951, ch. 1228, title IV, § 402, 64 Stat. 1255, related to exemption from certain employment restrictions.

Section 2255, acts Jan. 12, 1951, ch. 1228, title IV, § 403, 64 Stat. 1255; Mar. 5, 1952, ch. 78, § 1(b), 66 Stat. 13, directed Administrator to establish security restrictions with respect to access to information and property and provided for employee loyalty oaths. See section 5197a of Title 42.

Section 2256, act Jan. 12, 1951, ch. 1228, title IV, § 404, 64 Stat. 1256, related to transfer of functions, property, and personnel of Civil Defense Administration to Administration established by sections 2251 to 2303 of this Appendix.

Section 2257, act Jan. 12, 1951, ch. 1228, title IV, § 405, 64 Stat. 1256, related to utilization by Administrator of existing facilities. See section 5197b of Title 42.

Section 2258, act Jan. 12, 1951, ch. 1228, title IV, § 406, 64 Stat. 1256, directed Administrator to submit annual reports to Congress and the President. See section 5197c of Title 42.

Section 2259, act Jan. 12, 1951, ch. 1228, title IV, § 407, 64 Stat. 1256, related to applicability of sections 2251 to 2303 of this Appendix. See section 5197d of Title 42.

Section 2260, acts Jan. 12, 1951, ch. 1228, title IV, § 408, 64 Stat. 1257; Aug. 8, 1958, Pub. L. 85-606, § 6, 72 Stat. 534; Aug. 2, 1972, Pub. L. 92-360, § 1(2), 86 Stat. 503; July 14, 1976, Pub. L. 94-361, title VIII, § 804(b), 90 Stat. 931; Nov. 9, 1979, Pub. L. 96-107, title VII, § 702, 93 Stat. 810; Dec.

1, 1981, Pub. L. 97-86, title VIII, § 802, 95 Stat. 1111; Oct. 19, 1984, Pub. L. 98-525, title VIII, § 802, 98 Stat. 2572, related to appropriations and transfers of funds. See section 5197e of Title 42.

Section 2261, act Jan. 12, 1951, ch. 1228, title IV, § 409, 64 Stat. 1257, related to loans from Reconstruction Finance Corporation for civil defense projects.

Section 2262, act Jan. 12, 1951, ch. 1228, title IV, § 410, 64 Stat. 1257, related to effect of sections 2251 to 2303 of this Appendix on Atomic Energy Act of 1946. See section 5197f of Title 42.

Section 2263, act Jan. 12, 1951, ch. 1228, title IV, § 411, 64 Stat. 1257, related to investigations of espionage, sabotage, and subversive acts. See section 5197g of Title 42.

Section 2264, act June 2, 1951, ch. 121, Ch. XI, 65 Stat. 61, established a civil defense procurement fund.

SHORT TITLE

Section 1 of act Jan. 12, 1951, which provided that the act of Jan. 12, 1951, enacting sections 2251 to 2297 of this Appendix, was to be cited as the “Federal Civil Defense Act of 1950”, prior to repeal by Pub. L. 103-337, div. C, title XXXIV, § 3412(a), Oct. 5, 1994, 108 Stat. 3111.

SEPARABILITY

Section 412 of act Jan. 12, 1951, provided for separability of provisions for act of Jan. 12, 1951, prior to repeal by Pub. L. 103-337, div. C, title XXXIV, § 3412(a), Oct. 5, 1994, 108 Stat. 3111.

APPLICABILITY OF REORGANIZATION PLAN NO. 1 OF 1958

Section 413 of act Jan. 12, 1951, as added by Pub. L. 85-606, § 7, provided that the applicability of Reorg. Plan No. 1 of 1958 (23 F.R. 4991) was to extend to any amendment of act Jan. 12, 1951, prior to repeal by Pub. L. 103-337, div. C, title XXXIV, § 3412(a), Oct. 5, 1994, 108 Stat. 3111.

TITLE II—ORGANIZATION OF ADMINISTRATION

§§ 2271, 2272. Repealed. Pub. L. 103-337, div. C, title XXXIV, § 3412(a), Oct. 5, 1994, 108 Stat. 3111

Section 2271, act Jan. 12, 1951, ch. 1228, title I, § 101, 64 Stat. 1247, related to establishment of Federal Civil Defense Administration.

Section 2272, act Jan. 12, 1951, ch. 1228, title I, § 102, 64 Stat. 1247, created the Civil Defense Advisory Council which was abolished by section 3(a)(3) of Reorg. Plan No. 1 of 1973, eff. July 1, 1973, 38 Stat. 9579, 87 Stat. 1089, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

TITLE III—POWERS AND DUTIES

§§ 2281 to 2284. Repealed. Pub. L. 103-337, div. C, title XXXIV, § 3412(a), Oct. 5, 1994, 108 Stat. 3111

Section 2281, acts Jan. 12, 1951, ch. 1228, title II, § 201, 64 Stat. 1248; Mar. 5, 1952, ch. 78, § 1(a), 66 Stat. 13; June 25, 1952, ch. 461, 66 Stat. 158; Aug. 2, 1956, ch. 888, § 1, 70 Stat. 949; Aug. 8, 1958, Pub. L. 85-606, § 3(a)(1), (2), (b), (c), 72 Stat. 532, 533; Oct. 4, 1961, Pub. L. 87-390, 75 Stat. 820; June 30, 1964, Pub. L. 88-335, 78 Stat. 231; June 10, 1968, Pub. L. 90-336, 82 Stat. 175; Aug. 2, 1972, Pub. L. 92-360, § 1(1), 86 Stat. 503; July 14, 1976, Pub. L. 94-361, title VIII, § 804(c), 90 Stat. 932; Dec. 1, 1981, Pub. L. 97-86, title VIII, § 803(d), 95 Stat. 1113; Nov. 30, 1993, Pub. L. 103-160, div. C, title XXXIV, § 3402(c)(1), 107 Stat. 1964, related to functions and powers of Administrator. See section 5196 of Title 42, The Public Health and Welfare.

Section 2282, act Jan. 12, 1951, ch. 1228, title II, § 202, 64 Stat. 1251, defined “national defense” and “defense” for purposes of former section 2081 of this Appendix. See section 5195a(b) of Title 42.

Section 2283, act Jan. 12, 1951, ch. 1228, title II, §203, 64 Stat. 1251, related to mutual aid pacts between States and neighboring countries. See section 5196a of Title 42.

Section 2284, act Jan. 12, 1951, ch. 1228, title II, §204, 64 Stat. 1251, related to insignia, arm bands, and other distinctive articles to be worn or possessed by persons engaged in civil defense activities.

§ 2285. Real property transactions

(a) Reports to the Armed Services Committees

The Director of the Office of Civil and Defense Mobilization, or his designee, may not enter into any of the following listed transactions by or for the use of that agency until after the expiration of thirty days from the date upon which a report of the facts concerning the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives:

(1) An acquisition of fee title to any real property, if the estimated price is more than \$50,000.

(2) A lease of any real property to the United States, if the estimated annual rental is more than \$50,000.

(3) A lease of real property owned by the United States, if the estimated annual rental is more than \$50,000.

(4) A transfer of real property owned by the United States to another Federal agency or to a State, if the estimated value is more than \$50,000.

(5) A report of excess real property owned by the United States to a disposal agency, if the estimated value is more than \$50,000.

If a transaction covered by clause (1) or (2) is part of a project, the report must include a summarization of the general plan for that project, including an estimate of the total cost of the lands to be acquired or leases to be made.

(b) Annual reports to Armed Services Committees

The Director of the Office of Civil and Defense Mobilization shall report annually to the Committees on Armed Services of the Senate and the House of Representatives on transactions described in subsection (a) that involve an estimated value of more than \$5,000 but not more than \$50,000.

(c) Real property governed by this section

This section applies only to real property in the States of the Union, the District of Columbia, and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

(d) Recital of compliance in instrument of conveyance as conclusive

A statement in an instrument of conveyance, including a lease, that the requirements of this section have been met, or that the conveyance is not subject to this section, is conclusive.

(Aug. 10, 1956, ch. 1041, §43, 70A Stat. 636; Pub. L. 86-70, §37, June 25, 1959, 73 Stat. 150; Pub. L. 86-500, title V, §512, June 8, 1960, 74 Stat. 187; Pub. L. 86-624, §38, June 12, 1960, 74 Stat. 421;

Pub. L. 96-470, title II, §202(c), Oct. 19, 1980, 94 Stat. 2242.)

CODIFICATION

Section was formerly classified to section 171x of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

Section was not enacted as a part of the Federal Civil Defense Act of 1950 which formerly comprised sections 2251 to 2303 of this Appendix.

AMENDMENTS

1980—Subsec. (b). Pub. L. 96-470 substituted “annually” for “quarterly”.

1960—Subsec. (a). Pub. L. 86-500 substituted “Director of the Office of Civil and Defense Mobilization” for “Administrator of the Federal Civil Defense Administration”, prohibited the Director from entering into any of the transactions listed in subsec. (a) until after the expiration of 30 days from the date upon which a report of the facts concerning the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives, and increased the amounts in cls. (1) to (5) from \$25,000 to \$50,000.

Subsec. (b). Pub. L. 86-500 substituted “Director of the Office of Civil and Defense Mobilization” for “Administrator” and “\$50,000” for “\$25,000”.

Subsec. (c). Pub. L. 86-624 substituted “States of the Union, the District of Columbia” for “United States, Hawaii.”

Pub. L. 86-500 struck out “, Hawaii,” after “United States”.

Subsec. (d). Pub. L. 86-500 reenacted subsection without change.

1959—Subsec. (c). Pub. L. 86-70 struck out “Alaska,” after “United States,”.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which a report required under subsec. (b) of this section is listed as the 10th item on page 169), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

TRANSFER OF FUNCTIONS

Functions of Federal Civil Defense Administration transferred to President by section 1 of Reorg. Plan No. 1 of 1958, eff. July 1, 1958, 23 F.R. 4991, 72 Stat. 1799, as amended, set out as a note under section 5195 of Title 42, The Public Health and Welfare. The Plan created a new agency in Executive Office of President known as Office of Defense and Civilian Mobilization.

Pub. L. 85-763, Aug. 26, 1958, 72 Stat. 861, amended Reorg. Plan No. 1 of 1958 by redesignating Office of Defense and Civilian Mobilization as Office of Civil and Defense Mobilization.

Pub. L. 87-296, Sept. 22, 1961, 75 Stat. 630, amended Reorg. Plan No. 1 of 1958 by redesignating Office of Civil and Defense Mobilization as Office of Emergency Planning.

Office of Emergency Planning renamed Office of Emergency Preparedness pursuant to section 402 of Pub. L. 90-608, Oct. 21, 1968, 82 Stat. 1194, which provided that references to Office of Emergency Planning after Oct. 21, 1968, should be deemed references to Office of Emergency Preparedness.

Office of Emergency Preparedness, including offices of Director, Deputy Director, Assistant Directors, and Regional Directors, abolished and functions vested by law in Office of Emergency Preparedness or Director of Office of Emergency Preparedness transferred to President by sections 1 and 3(a)(1) of Reorg. Plan No. 1 of 1973, eff. July 1, 1973, 38 F.R. 9579, 87 Stat. 1089, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

Functions vested in Director of Office of Emergency Preparedness as of June 30, 1973, by Executive Order, proclamation, or other directive issued by or on behalf of President or otherwise, with certain exceptions, transferred to Administrator of General Services, effective July 1, 1973, by Ex. Ord. No. 11725, §3, eff. June 29, 1973, 38 F.R. 17175, formerly set out as a note under section 2271 of this Appendix.

Functions of Administrator of Federal Civil Defense Administration under this section, previously transferred to President, delegated to Director of Federal Emergency Management Agency by section 4-105 of Ex. Ord. No. 12148, July 20, 1979, 44 F.R. 43242, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 2286. Repealed. Pub. L. 103-337, div. C, title XXXIV, § 3412(a), Oct. 5, 1994, 108 Stat. 3111

Section, act Jan. 12, 1951, ch. 1228, title II, §205, as added Aug. 8, 1958, Pub. L. 85-606, §4, 72 Stat. 533; amended June 30, 1964, Pub. L. 88-335, 78 Stat. 231; June 10, 1968, Pub. L. 90-336, 82 Stat. 175; Aug. 2, 1972, Pub. L. 92-360, §1(1), 86 Stat. 503; July 14, 1976, Pub. L. 94-361, title VIII, §804(d), 90 Stat. 932; Dec. 1, 1981, Pub. L. 97-86, title VIII, §803(a)(2), (e), 95 Stat. 1112, 1113; Nov. 30, 1993, Pub. L. 103-160, div. C, title XXXIV, §3402(c)(2), (f)(3), 107 Stat. 1964, 1965, related to financial contributions to States for personnel and administrative expenses. See section 5196b of Title 42, The Public Health and Welfare.

§ 2287. Repealed. Pub. L. 97-214, §7(8), July 12, 1982, 96 Stat. 173

Section, Pub. L. 89-568, title VI, §610, Sept. 12, 1966, 80 Stat. 756; Pub. L. 90-110, title VIII, §807, Oct. 21, 1967, 81 Stat. 308, related to fallout protection. Provisions similar to this section were contained in the Military Construction Authorization Act, 1966, Pub. L. 89-188, title VI, §608, Sept. 16, 1965, 79 Stat. 818.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing, authorized before, on, or after such date, see section 12(a) of Pub. L. 97-214, set out as an Effective Date note under section 2801 of Title 10, Armed Forces.

§§ 2288, 2289. Repealed. Pub. L. 103-337, div. C, title XXXIV, § 3412(a), Oct. 5, 1994, 108 Stat. 3111

Section 2288, act Jan. 12, 1951, ch. 1228, title II, §206, as added Sept. 8, 1980, Pub. L. 96-342, title VII, §703(a)(1), 94 Stat. 1089, related to requirement for State matching funds for construction of emergency operating centers. See section 5196c of Title 42, The Public Health and Welfare.

Section 2289, act Jan. 12, 1951, ch. 1228, title II, §207, as added Dec. 1, 1981, Pub. L. 97-86, title VIII, §803(a)(1), 95 Stat. 1112; amended Nov. 30, 1993, Pub. L. 103-160, div.

C, title XXXIV, §3402(d)(1), 107 Stat. 1964, related to use of funds for attack-related civil defense and disaster-related civil defense. See section 5196d of Title 42.

TITLE IV—EMERGENCY AUTHORITY

§§ 2291 to 2297. Repealed. Pub. L. 103-337, div. C, title XXXIV, § 3412(a), Oct. 5, 1994, 108 Stat. 3111

Section 2291, act Jan. 12, 1951, ch. 1228, title III, §301, 64 Stat. 1251, provided that sections 2291 to 2297 of this Appendix applied only during civil defense emergencies and related to proclamation and termination of these emergencies.

Section 2292, act Jan. 12, 1951, ch. 1228, title III, §302, 64 Stat. 1251, related to utilization of Federal departments and agencies during civil defense emergencies.

Section 2293, act Jan. 12, 1951, ch. 1228, title III, §303, 64 Stat. 1252, related to emergency powers of Administrator.

Section 2294, act Jan. 12, 1951, ch. 1228, title III, §304, 64 Stat. 1253, related to governmental immunity from liability for death or injury to employees and to employee benefits.

Section 2295, act Jan. 12, 1951, ch. 1228, title III, §305, 64 Stat. 1253, related to waiver of provisions of Administrative Procedure Act, sections 551 et seq. and 701 et seq. of Title 5, Government Organization and Employees.

Section 2296, act Jan. 12, 1951, ch. 1228, title III, §306, 64 Stat. 1253, related to compensation for acquisition of nongovernmental property, return of the property to the owner, and disposal of surplus property.

Section 2297, acts Jan. 12, 1951, ch. 1228, title III, §307, 64 Stat. 1254; June 3, 1954, ch. 253, 68 Stat. 170; July 11, 1958, Pub. L. 85-514, 72 Stat. 356; June 27, 1962, Pub. L. 87-501, 76 Stat. 111; June 30, 1966, Pub. L. 89-483, 80 Stat. 235; June 30, 1970, Pub. L. 91-299, 84 Stat. 367, provided that sections 2291 to 2297 of this Appendix terminated on June 30, 1974, or on such earlier date as prescribed by concurrent resolution of Congress. Sections 2291 to 2297 terminated June 30, 1974, pursuant to section 2297 of this Appendix.

TITLE V—IMPROVED CIVIL DEFENSE PROGRAM

§§ 2301 to 2303. Repealed. Pub. L. 103-160, div. C, title XXXIV, § 3402(e)(1), Nov. 30, 1993, 107 Stat. 1964

Section 2301, act Jan. 12, 1951, ch. 1228, title V, §501, as added Sept. 8, 1980, Pub. L. 96-342, title VII, §702(a), 94 Stat. 1088, related to sense of Congress concerning improved civil defense program.

Section 2302, act Jan. 12, 1951, ch. 1228, title V, §502, as added Sept. 8, 1980, Pub. L. 96-342, title VII, §702(a), 94 Stat. 1088, listed elements of improved civil defense program.

Section 2303, act Jan. 12, 1951, ch. 1228, title V, §503, as added Sept. 8, 1980, Pub. L. 96-342, title VII, §702(a), 94 Stat. 1089, granted administrative authority to develop and implement improved civil defense program.

EMERGENCY FOOD AID TO INDIA

ACT JUNE 15, 1951, CH. 138, 65 STAT. 69

§§ 2311 to 2316. Omitted

CODIFICATION

Sections 2311 to 2316 of this Appendix were omitted from the Code in view of the termination of the emergency need which they were enacted to meet.

Section 2311, act June 15, 1951, ch. 138, §2, 65 Stat. 70, related to emergency food relief assistance to India on credit terms including payment by transfer to the United States of materials required by the United